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SELDEN SOCIETY. Volume XXIX. Year Books of Edward II. Volume VIII. The Eyre of Kent. 6 and 7 Edward II. Volume III. Edited by William Craddock BOLLAND. London: Bernard Quaritch. 1913. pp. lii, 242.

This is the third and concluding volume of the Eyre of Kent of 6 & 7 Edward II (A. D. 1313-14) which was undertaken for the Selden Society by the late Professor MAITLAND, whose untimely death placed the work in other hands. The effort of the editors is to present in detail the work of the Itinerant Justices commissioned to "hold all pleas" touching the county visited on the Eyre. For the purposes of convenience the Pleas of the Crown were set forth in the first volume, while the second gave the civil pleas in alphabetical order from Account to Mesne. In the present volume, for which Mr. William Craddock BOLLAND is entirely responsible, we have the remainder of the civil pleas and a collection of notes dealing with miscellaneous matters. Mr. BOLLAND has made use of thirteen manuscripts which he has carefully collated, and he has supplemented the reports, wherever possible, by notes and transcripts from the Eyre Roll. The editor's work is done with care and distinction. It reaches the high standard which has been set by the previous publications of the Selden Society.

Of the many interesting cases we can give but the most cursory notice. Pleas of Mortdancestor and Novel Disseisin represent the bulk of the volume; for that reason it will be of especial interest to the student of the history of real property. There will likewise be found cases interpreting some of the important statutes of Edward I. (*e. g.* p. 148 (Westm. I.); p. 124 (Gloucester); p. 199 (Westm. II).) In *Broomfield v. Broomfield* (p. 87) a litigant alleges that one William, an infant of six months, entered into possession of certain tenements and made a feoffment. It would be interesting to know the actual form of enfeoffment used by this six-months-old feoffor, but it is not disclosed. The doctrine that legal memory is limited by the date of Richard I's coronation is recognized by counsel in *The King v. Wickham Breaux* (p. 180). Hartlepool makes allegation of the purchase of a manor "*peus le temps le roi Richard qest temps de memorie*." Doubtless the origin of this doctrine is to be found in certain statutes of Edward I's reign, but the unquestioned recognition of it in an early Year Book is of interest.

We find additional evidence of MAITLAND's theory that the early Year Books are not official reports but "students' note books." For example, one manuscript reports a case, omitted by the others, which was not heard during this Eyre of Kent, nor even in Kent at all. (*Latimer v. Thwing*, p. 50). From internal evidence the editor concludes that it belongs to the reign of Edward I, either in the twenty-second or twenty-third year. (See also *Tank v. Kady*, p. 58; Introduction, p. xviii). *Allen v. Smith* (p. 1-11) is reported in all thirteen manuscripts with the result that we have four different versions which differ in the names of parties, in the allegations of counsel and the remarks of the bench. (See also *Trill v. May*, pp. 22-26.) In *Goldsmith v. Attfield* (p. 12), the reporters, not content with confusing the names, have

played tricks with the sex of the parties and so obscured the case that the real facts can only be obtained from the record. The informal character of the reports is constantly in evidence. SPIGURNEL, J., reproves BACON for an unskillful exception and gives him a lesson in pleading (p. 33). When the same BACON blunders again, we read that he "was blamed" (*fust blame*) by the serjeants, and the reporter censures him in a note (p. 85). Even the great SRONORE is guilty of careless pleading and his colleague TOUDEBY is put to great difficulty to extricate the defendant (p. 79). Judicial repartee is not absent. METINGHAM, C. J., retorts very pointedly to counsel who uses the vernacular expression "fitz al people" instead of the technical phrase "filius nullius" (*Tank v. Kady*, p. 59). The editor's comment (Introduction, p. xviii) upon the purpose of the demandant's counsel in making the particular allegation in this case is misleading. He appears to congratulate him on raising a question which threw the case out of court.

The Introduction discusses several matters that will be of interest to students of legal history. From the report of *Capedot v. Baynton* (pp. 41-2), the editor is able to throw new light upon an obscure statement of GLANVILL's which has puzzled commentators. GLANVILL remarks that the assize of mortdancestor does not lie in respect of tenements held by burgage tenure, inasmuch as another assize has been established for that purpose. (GLANVILL, lib. xiii, cap. ii.) Hitherto the name of the assize has been unknown. (*e. g.* see POLLOCK AND MAITLAND, H. E. L. (2nd ed.) II: 330.) It appears that it was the Assize of Fresh Force, and accordingly the editor gives a careful account of it (pp. xxxvi-xl). Again there is an interesting excursus (pp. xl-xlvi) dealing with the salaries of the Justices and the fees of the Clerks. Mr. BOLLAND has been able to present exact figures from an examination of the *Liberate* Rolls. When one learns that a Chief Justice received but £40 a year and a puisne about half that amount and that their salaries were frequently in arrear, it is not difficult to see why the judges in the time of Edward I increased their meagre salaries by means illicit and even criminal. The Introduction concludes with a discussion of a number of matters of minor importance. There is an interesting note upon the meaning of the unusual word "eel," which has been misapprehended by the editor of the official *Statutes of the Realm*. The curious reader will be pleased to learn that in the time of Edward II the value of a hare was less than half that of a rabbit (p. xlix); no doubt he will also relish the antique receipt for cooking a hare, which the diligence of the editor has rescued from an ancient cookery book ("The Forme of Cury"). It calls for quantities of "almandes unblanched * * * powder fort, vynegar and salt."

W. T. B.

A TREATISE ON AMERICAN ADVOCACY, by Alexander H. Robbins, Professor of Advocacy and Legal Ethics in the St. Louis University Institute of Law. St. Louis: Central Law Journal Company, 1913, pp. xvi, 336.

It is very difficult to review a work on advocacy. The subject is vague and shadowy and offers slight opportunity for original thinking. For eigh-